

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Ninth Regular Session

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TUESDAY, June 2, 2009

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The Chief Clerk makes the following entries under the above date.

**CHIEF CLERK'S ENTRIES**

The Chief Clerk makes the following entries dated **Friday, May 29, 2009.**

**AMENDMENTS OFFERED**

Senate substitute amendment 1 to **Senate Bill 38** offered by Senator A. Lasee.

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

May 29, 2009

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<b>Bill Number</b>	<b>Act Number</b>	<b>Date Approved</b>
<b>Senate Bill 37</b> . . . . .	17 . . . . .	May 29, 2009
<b>Senate Bill 94</b> . . . . .	16 . . . . .	May 29, 2009
<b>Senate Bill 49</b> . . . . .	18 . . . . .	May 29, 2009
<b>Senate Bill 141</b> . . . . .	19 . . . . .	May 29, 2009

Respectfully Submitted,  
*JIM DOYLE*  
Governor

The Chief Clerk makes the following entries dated **Monday, June 1, 2009.**

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

May 29, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LAWTON, JOHN R., of Madison, as Administrator in the Division of Merit Recruitment and Selection in the Office of State Employment Relations, to serve for the term ending on March 26, 2014.

Respectfully Submitted,  
*JIM DOYLE*  
Governor

Read and referred to committee on **Labor, Elections and Urban Affairs.**

**INTRODUCTION, FIRST READING, AND  
REFERENCE OF PROPOSALS**

Read first time and referred:

**Senate Joint Resolution 38**

Relating to: the life and public service of John D. "Jack" Steinhilber.

By Senators Hopper and Ellis; cosponsored by Representatives Hintz, Kaufert, Spanbauer and Roth.

To committee on **Senate Organization.**

Read first time and referred:

**Senate Joint Resolution 37**

Relating to: accounting and expenditure of state funds (first consideration).

By Senators Hopper, Leibham, Kedzie, Schultz, Darling and Kapanke; cosponsored by Representatives Strachota, Brooks, Vukmir, Knodl, Nass, Gottlieb, Vos, Nygren, Stone, Kerkman, Lothian, Pridemore, Van Roy, Spanbauer, Bies, Townsend, Petersen, Davis, Petrowski, M. Williams and Tauchen.

To joint committee on **Finance.**

**Senate Bill 223**

Relating to: composition of the Board of Regents of the University of Wisconsin System.

By Senators Lassa, Kreitlow, Holperin, Hansen, Vinehout, Schultz and Harsdorf; cosponsored by Representatives Smith, Rhoades, Hixson, Soletski, Garthwaite, Grigsby, Turner, Danou, Molepske Jr., Shilling, Montgomery, Kestell, Townsend, A. Ott, Brooks, Lothian and Murtha.

To committee on **Agriculture and Higher Education.**

**Senate Bill 224**

Relating to: notice of proposed vacation of certain highways.

By Senators Holperin, Lehman, Miller, Plale, Kreitlow, Hansen and Taylor; cosponsored by Representatives Steinbrink, Petrowski, Turner and Molepske Jr..

To committee on **Transportation, Tourism, Forestry, and Natural Resources.**

**Senate Bill 225**

Relating to: the designation of smoking rooms in lodging establishments.

By Senators Grothman, Kanavas, Taylor and Lazich; cosponsored by Representatives Nygren, Suder, Kestell, Gottlieb, Tauchen, Kleefisch, Wood, Townsend, Brooks,

LeMahieu, Ballweg, Spanbauer, Kerkman, Meyer, Nass, Bies, M. Williams, Roth, Gunderson, Vos, Mursau and Zipperer.

To committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.**

**REPORT OF COMMITTEES**

The committee on **Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection** reports and recommends:

**Senate Bill 216**

Relating to: professional employer organizations and professional employer groups.

Passage.

Ayes, 5 – Senators Wirch, Plale, Holperin, Hopper and Lazich.

Noes, 0 – None.

*ROBERT WIRCH*  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Legislative Reference Bureau**

June 2, 2009

To the Honorable, the Legislature:

The following rules have been published in the May 31, 2009 Wisconsin Administrative [Register No. 642](#):

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
<b>06-080</b> .....	6-1-2009
<b>08-062</b> .....	6-1-2009
<b>08-076</b> .....	6-1-2009
<b>08-082</b> .....	6-1-2009
<b>08-085</b> .....	6-1-2009
<b>08-092</b> .....	6-1-2009
<b>08-096</b> .....	6-1-2009
<b>08-097</b> .....	6-1-2009
<b>08-113</b> .....	6-1-2009

Sincerely,  
*BRUCE J. HOESLY*  
Senior Legislative Attorney/Code Editor

Pursuant to Senate Rule [17 \(5\)](#), Senator Kapanke added as a coauthor of **Senate Resolution 6**.

**State of Wisconsin  
Department of Administration**

May 29, 2009

The Honorable, The Legislature:

This report is transmitted as required by s. [20.002\(11\)\(f\)](#), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. [13.172\(3\)](#), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of April 2009.

On April 1, 2009, the General Fund cash balance closed at a negative \$523.9 million. This negative balance continued through April 30, 2009, when the fund’s cash balance closed at a positive \$25.4 million. The General Fund cash balance reached its intra-month low of a negative \$624.1 million on April 10, 2009. The negative balance was due to the difference in the timing of revenues and expenditures.

On April 1, 2009, the Injured Patients and Families Compensation Fund cash balance closed at a negative \$76.5 million (its intra-month low). This negative balance continued through April 30, 2009, when the fund’s cash balance closed at a negative \$73.3 million. The negative balance was due to the transfer of \$200 million to the Medical Assistance Trust Fund per [2007 Wisconsin Act 20](#), and the pending liquidation of fund securities necessary to offset this shortfall.

On April 1, 2009, the Medical Assistance Trust Fund cash balance closed at a negative \$106.8 million. This negative balance continued through April 30, 2009, when the fund’s cash balance closed at a negative \$147.9 million. The Medical Assistance Trust Fund cash balance reached its intra-month low of a negative \$149.6 million on April 22, 2009. The negative balance was due to the difference in the timing of revenues and expenditures.

On April 20, 2009, the Utility Public Benefits Fund cash balance closed at a negative \$507 thousand. This negative balance continued intermittently through April 30, 2009, when the fund’s cash balance closed at a negative \$2.2 million (its intra-month low). The negative balance was due to the difference in the timing of revenues and expenditures.

On April 1, 2009, the Lottery Fund cash balance closed at a negative \$2.1 million. This negative balance continued intermittently through April 10, 2009, when the fund’s cash balance closed at a positive \$2.5 million. The Lottery Fund cash balance reached its intra-month low of a negative \$3.1 million on April 2, 2009. The negative balance was due to the difference in the timing of revenues and expenditures.

On April 30, 2009, the Hospital Assessment Fund cash balance closed at a negative \$41.1 million (its intra-month low). The negative balance was due to the difference in the timing of revenues and expenditures.

The General Fund, Injured Patients and Families Compensation Fund, Medical Assistance Trust Fund, Utility Public Benefits Fund, Lottery Fund, and Hospital Assessment Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,  
*MICHAEL L. MORGAN*  
Secretary

Referred to the joint committee on **Finance**.

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**State of Wisconsin  
Joint Legislative Council**

June 1, 2009

The Honorable, The Legislature:

I am pleased to transmit to you the following report to the 2009 Legislature on legislation introduced by the Joint Legislative Council:

RL 2009-01 Special Committee on High Risk Juvenile Offenders [2009 Senate Bills 149, 150, 151, 152 and 153]

RL 2009-08 Special Committee on Regional Transportation Authority [2009 Senate Bill 205, and 2009 Assembly Bill 282]

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at <http://www.legis.state.wi.us/lc/>.

Sincerely,  
*TERRY C. ANDERSON*  
Director

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**REFERRALS AND RECEIPT OF COMMITTEE  
REPORTS CONCERNING PROPOSED  
ADMINISTRATIVE RULES**

**Senate Clearinghouse Rule 09-009**

Relating to food processing plants.  
Submitted by Department of Agriculture, Trade and

Consumer Protection.

Report received from Agency, May 28, 2009.

Referred to committee on **Agriculture and Higher Education**, June 2, 2009.

**Senate Clearinghouse Rule 09-011**

Relating to precollege scholarships.

Submitted by Department of Public Instruction.

Report received from Agency, May 27, 2009.

Referred to committee on **Education**, June 2, 2009.

**Senate Clearinghouse Rule 09-014**

Relating to the rules of practice and procedure before the commission.

Submitted by Labor and Industry Review Commission.

Report received from Agency, June 2, 2009.

Referred to committee on **Labor, Elections and Urban Affairs**, June 2, 2009.

**Senate Clearinghouse Rule 09-027**

Relating to use of the 1980 CSO Standard Ordinary Life Valuation Mortality Table in determining the minimum standard of valuation reserves and the minimum standard nonforfeiture values for preneed funeral life insurance products.

Submitted by Insurance Commissioner.

Report received from Agency, May 28, 2009.

Referred to committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing**, June 2, 2009.